REMARKS

The following remarks are supplemental to those made in the Amendment filed on May 19, 2010.

Claims 19-50 are presented for examination, of which Claims 19, 25, 29, 36, and 45-50 are in independent form. Claims 19, 25, 29, 36, and 45-50 have been amended to define aspects of Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action dated January 19, 2010, states that Claims 19-21, 23-27, 29-32, 34-39, 41-43, and 44-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,115,137 (*Ozawa et al.*) in view of U.S. Patent Application Publication No. 2003/0123840 (*Fujinami*); and that Claims 22, 28, 33 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ozawa et al.* in view of *Fujinami*, and further in view of Official Notice. For at least the following reasons, Applicants submit that independent Claims 19, 25, 29, 36, and 45-50, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

The aspect of the present invention set forth in Claim 19 is directed to a wireless communication device. The wireless communication device includes a communication unit that communicates wirelessly, an operation unit, and a processing unit. The operation unit accepts a user operation for setting a communication parameter by a user. The processing unit is communicatively coupled to a computer-readable storage medium and performs a process of setting the communication parameter between the wireless communication device and another wireless communication device.

Notably, based on a signal received by the wireless communication unit, the processing unit detects an operated device different from the wireless communication device.

The signal is transmitted by the operated device in response to a user operation for setting the communication parameter, which is made at the operated device. The processing unit performs the process of setting the communication parameter with the detected operated device through the wireless communication unit. If a plurality of operated devices is detected within a predetermined time period after the user operation at the wireless communication device is detected, the processing unit terminates the process of setting the communication parameter as a failure. By virtue of the operation of the processing unit, if more than one device (other than the device of Claim 19) is operated for setting a communication parameter at substantially the same time, for example, the wireless communication device of Claim 19 terminates the process of setting the communication parameter as a failure. Therefore, a wireless communication channel can be used to establish a one-to-one relationship between the wireless communication device of Claim 19 and a single operated device.

Ozawa et al. relates to an image processing system for processing an image sensed by a digital camera to be printed by a printing apparatus, and a digital camera and printing apparatus suitable for the image processing system (*see* col. 1, lines 6-10). Applicants agree with the Office Action's conclusion that *Ozawa et al.* fails to disclose terminating a process of setting a communication parameter, if a plurality of other wireless communication devices, at which user operations for setting the communication parameter have been made, is detected (*see* Office Action, page 6).

Fujinami is understood to relate to an apparatus used to interconnect an audiovisual apparatus and a plurality of household communication apparatuses (*see* paragraph 2). *Fujinami* discusses that, when a DVD player 1-1 receives a control signal from a remote control 4, the DVD player 1-1 determines whether the control signal is received by another apparatus

(*see* paragraph 88). When another apparatus also has received the control signal, the DVD player 1-1 notifies a user of a failure in setting a source apparatus, and changes its state to a standby state (*see* paragraph 89).

As best understood by Applicants, the DVD player 1-1 of *Fujinami* detects when the control signal from the remote control 4 has been received by other DVD players. The remote control 4 is understood to be the only device where a user operation is made. That is, the remote control 4 is the only "operated device" in the system of *Fujinami*. *Fujinami* fails to teach or suggest that the DVD player 1-1 detects a plurality of operated devices, at which user operations have been made. Moreover, *Fujinami* fails to teach or suggest that the DVD player 1-1 terminates a process if it detects a plurality of operated devices, at which user operations have been made.

In summary, Applicants submit that a combination of *Ozawa et al.* and *Fujinami*, assuming such combination would even be permissible, would fail to teach or suggest a wireless communication device that includes "processing unit communicatively coupled to a computer-readable storage medium, the processing unit performing a process of setting the communication parameter between the wireless communication device and another wireless communication device," wherein the processing unit "detects the user operation at the wireless communication device," "detects an operated device different from the wireless communication device, based on a signal received by the wireless communication unit, wherein the signal is transmitted by the operated device in response to a user operation for setting the communication parameter made at the operated device," "performs the process of setting the communication parameter with the detected operated device through the wireless communication unit," and "terminates the process of setting the communication parameter as a failure, if a plurality of operated devices, at which

user operations for setting the communication parameter have been made, is detected within a predetermined time period after the user operation at the wireless communication device is detected," as recited in Claim 19. Accordingly, Applicants submit that Claim 19 is patentable over *Ozawa et al.* and *Fujinami*, and respectfully request withdrawal of the rejection of Claim 19 under 35 U.S.C. § 103(a).

Independent Claims 25, 29, 36, and 45-50 include features sufficiently similar to those of Claim 19 that these claims are believed to be patentable over the cited art for the reasons discussed above. The other claims in the present application depend from one or another of independent Claims 19, 25, 29, and 36 and are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, however, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Lock See Yu-Jahnes/
Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200
FCHS_WS 5252595_1